

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DR. TIMOTHY MAYER,

Plaintiff,

Case No. 2:12-cv-12973

v.

Hon. Stephen J. Murphy, III

COMMUNITY CENTRAL BANK (“CCB”),
JIM KAYE, LISA MEDLOCK, DEAN PETIPREN,
DAVID E. WEBER, SALVATOR COTTONE,
GEBRAN ANTON, JR., CELESTINA GILES,
JOSEPH JEANETTE, JOHN STROH III,
JAMES MESTDAGH, JOSEPH CATENACCI,
BOBBY HILL, ESTATE OF DAVID WIDLACK,
LEONARD & COMPANY, WENDY LEONARD,
DAINFORTH FRENCH, JR., DAVID K. WEBER,
JAMES MASON, JEFFREY PLOPA, AND
LEONARD-FRENCH HOLDINGS,
JOINTLY AND SEVERALLY,

Defendants.

**DEFENDANTS LISA MEDLOCK, DEAN PETIPREN, DAVID E. WEBER,
SALVATOR COTTONE, GEBRAN ANTON, JR., CELESTINA GILES,
JOSEPH JEANETTE, JOHN STROH III, JAMES MESTDAGH, BOBBY HILL
AND ESTATE OF DAVID WIDLACK’S RESPONSE TO CO-DEFENDANTS’
SUGGESTION ON BANKRUPTCY AND NOTICE OF STAY**

Defendants, Lisa M. Medlock, Dean Petipren, David E. Weber, Salvatore Cottone, Gebran Anton, Jr., Celestina Giles, Joseph Jeannette, John Stroh III, James Mestdagh, Bobby Hill and the Estate of David Widlak (“Defendants”) respond to the Suggestion on Bankruptcy and Notice of Stay filed by co-defendants Leonard French Holdings, Inc. [DE 19], Leonard & Company [DE 20], Wendy Leonard [DE 21] and Dainforth French, Jr. [DE 22] (collectively, the “Leonard French Co-Defendants”), as follows:

1. On Friday, February 22, 2013, the Leonard French Co-Defendants filed their Suggestions on Bankruptcy and Notices of Stay in this matter.

2. There are no pending claims, cross-claims or counterclaims between Defendants and Co-Defendants in this matter.

3. Pursuant to the Suggestions on Bankruptcy and Notices of Stay, and the provisions of 11 U.S.C. § 362, plaintiff’s claims against the Leonard French Co-Defendants are apparently stayed.

4. Plaintiff’s pending claims against Defendants, however, are not subject to the Leonard French Co-Defendants’ Suggestions on Bankruptcy and Notices of Stay and those claims, and Defendants’ defense of this matter, may proceed without delay.

5. Accordingly, the Leonard French Co-Defendants’ bankruptcy does not prevent this Court from ruling on Defendants’ pending Motion to Dismiss [DE 11] plaintiff’s claims against these Defendants.

For these reasons, this Court may properly consider and rule on Defendants’ pending Motion to Dismiss notwithstanding the bankruptcy of, and stay of proceedings against, the Leonard French Co-Defendants.

Respectfully submitted,

By: /s/ Steven M. Ribiat
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Mestdagh, Hill and Estate of David Widlack

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2013, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record.

By: /s/ Steven M. Ribiat
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